

July 16, 2020



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16061
(SIXTH REVISION)

EXPIRATION DATE: 2024-06-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Battery Solutions, LLC
Howell, MI
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of specifically designed packagings for the transportation in commerce of certain batteries and cells when transported for recycling or disposal. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
 - c. In accordance with 49 CFR 107.107(a), party status may not be granted to a manufacturing permit. These packagings may be used in accordance with 49 CFR 173.22a.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C, through H of Part 172 in that shipping papers, marking labeling, placarding, emergency response information, and training are not required for batteries and cells already excepted by § 173.185(c) and § 172.102(c)(1) Special Provision 130; § 172.102(c) Special Provisions 130(d) in that batteries utilizing different chemistries (i.e., those battery and cell chemistries specifically covered by another entry in the § 172.101 Hazardous Materials Table) as well as dry batteries may be combined with used or spent batteries and cells in the same package; § 173.159a(c)(2) in that marking the non-spillable battery and outer packaging is waived; § 173.185(c)(1)(iii), (c)(1)(iv), (c)(1)(v) and (c)(3) in that alternative marking and documentation are authorized and alternative means of identifying any special procedures to be followed in the event a package is damaged is authorized, as provided herein.
5. BASIS: This special permit is based on the modification application of Battery Solutions, LLC dated July 10, 2020 submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium metal batteries*	9	UN3090	N/A
Lithium ion batteries*	9	UN3480	N/A
Lithium ion batteries packed with equipment or Lithium ion batteries contained in equipment*	9	UN3481	N/A
Batteries, wet, nonspillable	8	UN2800	N/A
Batteries, nickel metal hydride	9	UN3496	N/A
Batteries, dry, containing potassium hydroxide solid	8	UN3028	N/A

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Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Batteries, dry, sealed, n.o.s.	See Special Provision 130		

*Only lithium ion or lithium metal cells or batteries and equipment containing these cells or batteries with a Watt-hour rating or a lithium content, as applicable, conforming to § 173.185(c)(1)(i), (ii), or (iv) may be transported under the terms of this special permit. For transportation by cargo vessel, only lithium ion or lithium metal cells or batteries and equipment containing these cells or batteries with a Watt-hour rating or a lithium content, as applicable, conforming to § 173.185(c)(1)(i) or (ii) may be transported under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

a. PACKAGING: The packaging must be in accordance with paragraphs 7.a.(1) or 7.a.(2) as prescribed below:

(1) Prescribed packagings are UN specification 4G fiberboard boxes or UN specification 1A2 or 1H2 drums (smaller specification boxes or drums are also authorized) that are capable of withstanding a 1.2 meter drop test in any orientation without:

(i) Damage to cells or batteries contained in the package;

(ii) Shifting of the contents that would allow short circuiting; and

(iii) Release of package contents.

(2) As provided in the packing instructions for thermally insulating fire suppressant (term used in lieu of the registered trade mark) included in the modification application dated February 25, 2019 and on file with the Office of Hazardous Materials Safety Approvals and Permits Division, the outer packagings must be UN Standard packagings (4G, 1A2, or 1H2) that meet the PG II performance level. Additionally, the outer packaging must be filled with the thermally

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insulating fire suppressant where the suppressant completely surrounds each cell or battery (including those of all chemistries), or those contained in or packed with equipment by at least 2 inches of suppressant. The thermally insulating fire suppressant must be in a sufficient quantity and placed in a manner to absorb all of the potential release of electrolyte; suppress lithium cell/battery fires, heat and smoke; absorb the smoke, gases and flammable vapors and electrolytes during a thermal runaway incident; and will protect from the effects of shock and vibration and prevent movement of the cells, batteries and/or the equipment.

b. MARKING:

(1) Each package covered under the terms of this special permit must be durably and legibly marked and displayed on a background of contrasting color with the following:

(i) "DOT-SP 16061".

(ii) As applicable:

(A) For packages conforming to the requirements in § 173.185(c)(1)(i) or (ii), the words: "Used Batteries for Recycling or disposal: May Contain Lithium and Nonspillable Batteries. FOR GROUND OR VESSEL TRANSPORT ONLY - FORBIDDEN FOR TRANSPORTATION BY AIRCRAFT" in letters at least 12 mm (0.5 inch) in height except that packages with a maximum gross mass of 30 kg (66 pounds) or less may be marked with characters at least 6 mm (0.25 inches) high, and packages with a maximum net mass of 5 kg (11 pounds) or less may be marked in a size appropriate for the size of the package. Additionally, each package must be marked with the handling marking in § 173.185(c)(3)(i) and an emergency response telephone number accessible 24 hours per day in case of damage to the packaging or contents.

(B) For packages conforming to the requirements in § 173.185(c)(1)(iv), the words: "Used Batteries for Recycling or

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disposal: May Contain Lithium and Nonspillable Batteries. FOR GROUND TRANSPORT ONLY - FORBIDDEN FOR TRANSPORTATION BY AIRCRAFT AND VESSEL" in letters at least 12 mm (0.5 inch) in height except that packages with a maximum gross mass of 30 kg (66 pounds) or less may be marked with characters at least 6 mm (0.25 inches) high, and packages with a maximum net mass of 5 kg (11 pounds) or less may be marked in a size appropriate for the size of the package. Additionally, each package must be marked with the handling marking in § 173.185(c)(3)(i) and an emergency response telephone number accessible 24 hours per day in case of damage to the packaging or contents.

(C) Marked and labeled in accordance with the requirements in Subparts D and E of Part 172 when the package does not comply with paragraphs 7.b.(1)(ii)(A) or (B) above or § 173.185(c)(1)(vi).

(2) If the packaging is used to transport non-spillable batteries, the batteries and package are excepted from the marking requirements for non-spillable batteries in § 173.159a(c)(2). All applicable requirements in § 173.159a apply.

8. OPERATIONAL CONTROLS:

a. Detailed closure, packing, and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit. Persons offering packages for transportation must comply with the closure, packing, and shipping instructions accompanying the packaging. The instructions must at a minimum communicate each requirement of paragraph 8.b. through 8.h. and 9.c. of this special permit.

b. This packaging is only authorized for battery disposal or recycling purposes.

c. Non-spillable batteries and nickel metal hydride batteries are limited to 11 kg (25 pounds) or less gross weight each.

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d. Lithium ion, lithium metal, nonspillable batteries and dry cell batteries (nonspillable batteries with a marked rating over 12 volts, dry cell batteries including batteries containing potassium hydroxide and nickel metal hydride batteries with a marked rating over 9 volts) must be protected against short circuits. Some suitable methods of protection the batteries against short circuits include, but are not limited to, placing the batteries in individual plastic bags; or taping and covering the exposed terminals. The means of protection used to prevent short circuits must remain in place while the packages are in transportation.

e. Equipment containing batteries must be protected against short circuits and unintentional activation.

f. The gross weight of the package must not exceed 30 kg (66 pounds).

g. The gross weight of the package may be increased to not more than 400 kg (881 pounds) when packed in accordance with paragraph 7.a.(2).

h. Packages must be stored away from heat.

i. Packages must be securely closed prior to being offered for transportation.

j. When utilized as specified in this special permit, the completed package is not subject to 49 CFR Subparts C through H of Part 172 (i.e., shipping papers, marking labeling, placarding, emergency response information, and training), except as specified herein.

k. Packages that do not conform to paragraphs 7.b.(1)(ii)(A) or (B) above, § 173.185(c)(1)(vi), or § 173.159a(d) are subject to 49 CFR Subparts C through H of Part 172 (i.e., shipping papers, marking, labeling, placarding, emergency response information and training), as applicable.

l. The testing requirements for lithium batteries and cells under § 173.185(a)(1) are waived.

9. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may offer it for transportation provided it is offered for transportation in conformance with this special permit and the HMR.

c. A person offering a package covered by this special permit to a motor carrier must notify the operator of the motor vehicle of the presence of hazardous materials and that in the event of damage, the emergency response number, and emergency procedures applicable to the motor carrier appear on the package.

d. A current copy of this special permit must be accessible from each facility where the package is offered for transportation (computer generated is acceptable). In addition, a copy of the special permit must be available on the grantees website.

e. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

f. The grantee must keep on file and make available upon request annual reports from box inspections conducted at locations where batteries are consolidated and/or processed. These reports must include all noted non-compliance with the HMR and/or this special permit and actions taken to prevent recurring of such non-compliance.

g. A list of companies that have been provided these packagings must be maintained and made available upon request.

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10. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel. Cargo vessel is authorized only to and from Alaska, Hawaii, or any other territory or possession of the United States designated by the Secretary.
11. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel.
12. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit related to packages under paragraph 8.j. must receive adequate instruction on the requirements and conditions of this special permit.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit related to packages under paragraph 8.k. must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) – "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

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13. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: SH/TG